

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/635,247	DIORIO ET AL.
	Examiner Nguyen T Ha	Art Unit 2831

-- The MAILING DATE of this communication appears in the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 5/11/2004.
2.  The allowed claim(s) is/are 1-69 and 71-90.
3.  The drawings filed on 05 August 2003 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 0803
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**DETAILED ACTION**

***Election/Restrictions***

1. The applicant's arguments filed on 5/11/2004 are persuasive. Therefore, the previous Election/Restriction is hereby withdrawn.

***Allowable Subject Matter***

2. Claims 1-69 and 71-90 are allowed.

The following is an examiner's statement of reasons for allowance:

With respect to claims 1-69 and 71-79, the prior art alone or in combination does not teach the limitation of a stacked capacitor comprising: a first capacitor having a second plate comprises a first floating electrode, and second capacitor comprises a second floating electrode, wherein the first and second floating electrodes being connected together at an intercapacitor node.

With respect to claims 80-90, the prior art alone or in combination does not teach the limitation of a charge storage machination comprising: a first capacitor having a second plate comprises a first floating electrode, and second capacitor comprises a second floating electrode, wherein the first and second floating electrodes being connected together at an intercapacitor node.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Citation Relevant of Prior Art**

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - a. Tiebout discloses voltage-controlled capacitor.
  - b. Kijima et al. disclose mounting structure for capacitors.
  - c. Barber et al. disclose article comprising a multi-port variable capacitor.
  - d. Brewer et al. disclose stacked capacitor truncated damped sinusoidal defibrillation waveform.
  - e. Lee discloses stacked capacitor structures for liquid crystal displays and related methods.
  - f. Chao discloses doubled stacked trench capacitor DRAM and method of fabricating.
  - g. Alter discloses stacked multi-polysilicon layer capacitor.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen T Ha whose telephone number is 571-272-1974. The examiner can normally be reached on Monday-Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nguyen T. Ha  
June 22, 2004

*Dean A. Reichard 6/24/04*  
DEAN A. REICHARD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800